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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Eric C. Miller, Charles N. Wang, Erhan H. Gunday, Albert M. Juergens
Assignee: Optimize Incorporated
Title: Information System Using Eyewear For Communication
Serial No.: 09/972,342 Filing Date: October 6, 2001
Examiner: Unknown Group Art Unit: Unknown
Docket No.: M-11777 US

San Jose, California
January 24, 2002

BOX MISSING PARTS
COMMISSIONER FOR PATENTS
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-
PROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed by the United States Patent and Trademark Office on November 8, 2001, the following documents are enclosed to complete the filing of the above-identified patent application:

1. A declaration signed by the inventors in compliance with 37 C.F.R. § 1.63;
2. Petition for Extension of Time; and
3. Notice to File Missing Parts of Nonprovisional Application.

The United States Patent and Trademark Office is hereby authorized to charge the following fees to Deposit Account No. 19-2386:

| | | |
|----|---|-----------------|
| 1. | Surcharge for filing declaration on a date later than the filing date of the application. | \$130.00 |
| 2. | Extension of Time Fee. | \$110.00 |
| 3. | TOTAL FEES: | \$240.00 |



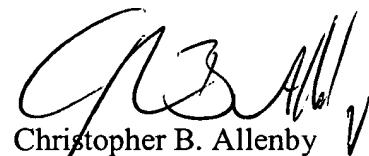
LAW OFFICES OF
SKJERVEN MORRILL
MacPHERSON LLP
25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 19-2386.

It is hereby respectfully submitted that the enclosed documents complete the filing of the above patent application and justify the filing date of October 6, 2001. Please telephone the undersigned at (408) 452-9200, if there are any questions. This form is being submitted in duplicate.

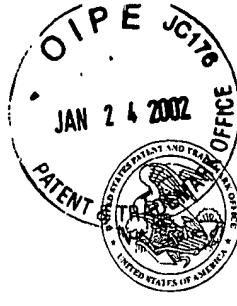
EXPRESS MAIL LABEL NO:
EL 884 815 724 US

Respectfully submitted,



Christopher B. Allenby
Attorney for Applicants
Reg. No. 45,906

LAW OFFICES OF
SKJERVEN MORRILL
MacPHERSON LLP
25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979



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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/972,342 | 10/06/2001 | Eric C. Miller | M-11777 US |

CONFIRMATION NO. 4511

FORMALITIES LETTER



OC000000007046594

SKJERVEN MORRILL MacPHERSON LLP
25 Metro Drive
Suite 700
San Jose, CA 95110

Date Mailed: 11/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/31/2002 SZEWDIE1 00000079 192386 09972342

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